

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: David Quigley, AICP, Planning and Zoning Manager/(954) 797-1103

PREPARED BY: Lise Bazinet, Planner II

SUBJECT: Resolution

AFFECTED DISTRICT: 2

ITEM REQUEST: Schedule for Council Meeting

TITLE OF AGENDA ITEM: PLAT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS "BANK OF AMERICA, WEST STIRLING" AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE. (P 8-1-08, Bank of America, 6300 Stirling Road) P & Z Board recommended approval

REPORT IN BRIEF: The subject site consists of 3.978 acres (173,281 square feet). This plat is restricted to 7,000 square feet of bank use. The proposed plat provides two (2) vehicular access points onto the subject site via an 80 foot ingress-egress easement at the east side of the north property line from Stirling Road, and a 50 foot access easement at the middle of the north property line also from Stirling Road.

The following easements are proposed by this plat:

1. 80 foot x 80 foot ingress-egress easement located at the northeast corner of the plat.
2. 50 foot x 50 foot lift Station easement located abutting the south property line at the center of the plat.
3. 14 foot x 8 foot bus Shelter easement located 80' from the west property line fronting Stirling Road.
4. Several drainage-retention easements throughout the east portion of the plat (see plat for location and size).
5. 12 foot utility easement along the east part of the south property line.

The following dedications are proposed by this plat:

1. Right-of-way dedication for proposed turn lane and bus stop located along Stirling Road.

Approval from Central Broward Drainage District (CBWCD) was obtained on May 4, 2009 for the proposed site plan. The plat can be considered compatible with the abutting properties. The proposed plat is consistent with the Land Development Code as it relates to access, location, size, and use.

PREVIOUS ACTIONS: n/a

CONCURRENCES: At the May 27, 2009 Planning & Zoning Board meeting, Vice-Chair Busey made a motion, seconded by Mr. Jacob, to approve subject to the conditions in the staff report. In a roll call vote, the vote was as follows: Chair Turin – yes; Vice-Chair Busey – yes; Mr. DeArmas – absent; Mr. Farkas – yes; Mr. Jacob – yes. **(Motion carried 4-0)**

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Other - Staff finds the application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration subject to the following conditions:

1. Shall be subject to finding of adequacy determined by Broward County.
2. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.

Attachment(s): Resolution, Planning Report

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS "BANK OF AMERICA, WEST STIRLING" AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the proposed plat to be known as the "Bank of America, West Stirling" was considered by the Planning and Zoning Board on May 27, 2009;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The plat known as the "Bank of America, West Stirling" is hereby approved subject to the following conditions:

1. Shall be subject to finding of adequacy determined by Broward County.
2. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.

SECTION 2. The Mayor is authorized to sign said plat on behalf of the Town and the Town Clerk is directed to affix the Town seal to said plat.

SECTION 3. Any improvements required to satisfy transit concurrency should be located within the Town of Davie.

SECTION 4. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2009.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS ____ DAY OF _____, 2009.

Application: P 8-1-08/08-101/Bank of America, West Stirling Plat
Original Report Date: 05/15/09
Revision(s): 05/28/09

TOWN OF DAVIE
Planning & Zoning Division
Staff Report and Recommendation

Applicant Information

Owner:

Name: Bank of America
Address: 101 N. Tryon Street
City: Charlotte, NC 28255
Phone: (508) 921-45620

Petitioner:

Name: H & T Consultants Inc/Stamley Hill, PE
Address: 9310 Old Kings Road South, Suite 1001
City: Jacksonville, FL 32257
Phone: (904) 419-1001

Background Information

Application Request: Approval of the plat known as the "Bank of America, West Stirling"

Address: 6300 Stirling Rd

Location: Generally located east of SW 64th Avenue (Davie Rd. Extension) and on the south side of Stirling Rd.

Future Land Use

Plan Map Designation: Commercial

Zoning: B-2, Community Business District

Existing Use: Unoccupied bank and temporary trailer

Net Parcel Size: 3.978 acres (173,281 square feet)

Proposed Use: Bank of America

<u>Surrounding Uses:</u>		<u>Surrounding Land</u>
<u>Designations:</u>		<u>Use Plan Map</u>
North:	Commercial building	Commercial
South:	Not in the Town of Davie (City of Hollywood)	Commercial
East:	Commercial building	Commercial
West:	Commercial building	Commercial

Surrounding Zoning:

North:	B-2, Community Business District
South:	Not in the Town of Davie (City of Hollywood)
East:	B-2, Community Business District
West:	B-2, Community Business District

Zoning History

Related Zoning History: Records indicate that the existing Future Land Use Plan Map designation and Zoning classification were in place at the time of annexation.

Previous requests on same property:

Temporary use permit and two Special permits granted on February 15, 2006, March 8, 2006 and August 1, 2007 to allow a temporary modular bank/office building to be use as the Bank of America facility.

Concurrent Requests on Same property:

Special Permit Application (SE 2-2-09), the petitioner requests a Special Permit to continue the use of an existing temporary modular bank/office building within the Bank of America property.

Site Plan Application (SP 6-2-08), the petitioner requests site plan approval for a new Bank of America building and site amenities.

Applicable Codes and Ordinances

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

Land Development Code (Section 12-360(B)(1)) platting requirements.

Land Development Code (Section 12-366.1 (A) thru (D)) submission requirements for plats.

Land Development Code, Article XII of the Land Development Code, Subdivisions and Site Plans.

Land Development Code (Section 12-24 (J)(5)), the B-2, Community Business District is intended to implement the commercial designation of the Town of Davie Comprehensive Plan by providing for a business area to service the shopping and limited service needs of several neighborhoods or the local community. Retail stores are intended to include convenience, fashion and durable goods.

Land Development Code (Section 12-83), Conventional Nonresidential Development Standards, B-2, Community Business District, requires the following minimums: lot area of 52,500 square feet, frontage of 200 feet, minimum lot depth of 200 feet, twenty (20) feet on sides abutting residential zoned properties and twenty five (25) feet adjacent to public or private rights-of-way, maximum building height of 35 feet, maximum building coverage 40%, minimum building separation 10 feet, and minimum open space 30%.

Comprehensive Plan Considerations

Planning Area:

The subject property is within Planning Area 9; this Planning Area is south of Griffin Road, generally north of Stirling Road (the portion of the Town of Davie between the FL Turnpike and Davie Rd. Ext. and south of Stirling Rd. is included), east of SW 76 Avenue and west of the Florida Turnpike. This area is predominantly agricultural in nature with scattered low-density single-family residential development. Low profile commercial development lines the Griffin Road, Davie Road, and Stirling Road corridors.

Broward County Land Use Plan: The proposed plat is in Flexibility Zone 102.

Applicable Goals, Objectives & Policies:

Future Land Use Plan, policy 5-2: The (re)zoning, (re)planning, and site planning of land shall be in compliance with the density ranges shown on the Davie Future Land Use Plan map and the applicable Future Land Use Designation provisions as contained in the Permitted Use portion of the Implementation Section.

Future Land Use Element, Land Use Compatibility and Community Appearance, Policy 17-1: Lands designated for non-residential use shall be located in a manner, which facilitates development, but does not adversely impact existing and designated residential areas.

Future Land Use Plan, Land Use Compatibility and Community Appearance, Policy 17-2: No property within the Town shall be rezoned to a zoning district that is not in compliance with the Davie Future Land Use Plan.

Future Land Use Plan, Land Use Compatibility and Community Appearance, Policy 17-3: Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

Application Details

1. *Site:* The subject site consists of 3.978 net acres (173,281 square feet).
2. *Restrictive Note:* This plat is restricted to 7,000 square feet of bank use.
3. *Access:* The proposed plat provides two (2) vehicular access points onto the subject site via an 80 foot ingress-egress easement at the east property line from Stirling Road, and a 50 foot access easement at the middle of the north property line also from Stirling Road.
4. *Trails:* The Driftwood Park Trail is located along Stirling Road right-of-way adjacent to the subject site. This trail will accommodate pedestrian connection to and from the subject site and will also provide access numerous Davie sites and other trails.
5. *Easements and Reservation:* The following easements are proposed by this plat:

- a. 80 foot x 80 foot ingress-egress easement located at the northeast corner of the plat.
 - b. 50 foot x 50 foot lift Station easement located abutting the south property line at the center of the plat.
 - c. 14 foot x 8 foot bus Shelter easement located 80' from the west property line fronting Stirling Road.
 - d. Several drainage-retention easements throughout the east portion of the plat (see plat for location and size).
 - e. 12 foot utility easement along the east part of the south property line.
6. *Dedications:* The following dedications are proposed by this plat:
- a. Right-of-way dedication for proposed turn lane and bus stop located along Stirling Road.
7. *Drainage:* Approval from Central Broward Drainage District (CBWCD) was obtained on May 4, 2009 for the proposed site plan.
8. *Compatibility:* The plat can be considered compatible with the abutting properties. The proposed plat is consistent with the Land Development Code as it relates to access, location, size, and use.
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Significant Development Review Committee (DRC) Comments

These following comments represent significant comments made by the Development Review Committee as part of the review process. All comments have been addressed unless otherwise indicated.

Engineering Division:

1. Provide a minimum of two (2) benchmarks referenced to the National Geodetic Vertical Datum of 1929 or the Broward County Vertical Network in conformity with the standards adopted by the National Ocean Survey for Third Order Vertical Control. The benchmarks shall be of a permanent nature, easily accessible, located within, along or within two hundred (200) feet of the plat boundary.
 2. Indicate the surveyor's certificate is in conformity with: Chapter 177, Florida Statutes, National Geodetic Vertical Datum (NGVD) and National Ocean Survey Third Order Control Standards, Applicable sections of Chapter 21HH-6, Florida Administrative Code.
 3. Provide a traffic analysis to show new traffic impact to local roads and demonstrate if propose stacking lanes are adequate for banking services.
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Staff Analysis

The proposed "Bank of America, West Stirling" plat will accommodate the Bank of America building on the subject site. The site was originally recorded according to the North American datum of 1927, as recorded in miscellaneous Plat Book 6, Page 19 of the public records of Broward County, Florida. The proposed plat meets the intent of the B-2, Community Business District, the Comprehensive Plan, and the Future Land Use Plan Map designation of Commercial.

Staff Findings of Fact

Staff finds that the proposed “Bank of America, West Stirling” plat is in accordance with the Land Development Code as it relates to access, location, and size. The proposed plat can be considered compatible with the existing abutting properties.

Staff Recommendation

Staff finds the application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration subject to the following conditions:

- 1. Shall be subject to finding of adequacy determined by Broward County.**
 - 2. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.**
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Planning and Zoning Board Recommendation

At the May 27, 2009 Planning & Zoning Board meeting, Vice-Chair Busey made a motion, seconded by Mr. Jacob, to approve subject to the conditions in the staff report. In a roll call vote, the vote was as follows: Chair Turin – yes; Vice-Chair Busey – yes; Mr. DeArmas – absent; Mr. Farkas – yes; Mr. Jacob – yes. **(Motion carried 4-0)**

Town Council Action

Exhibits

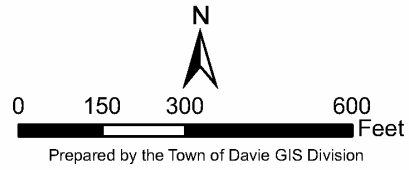
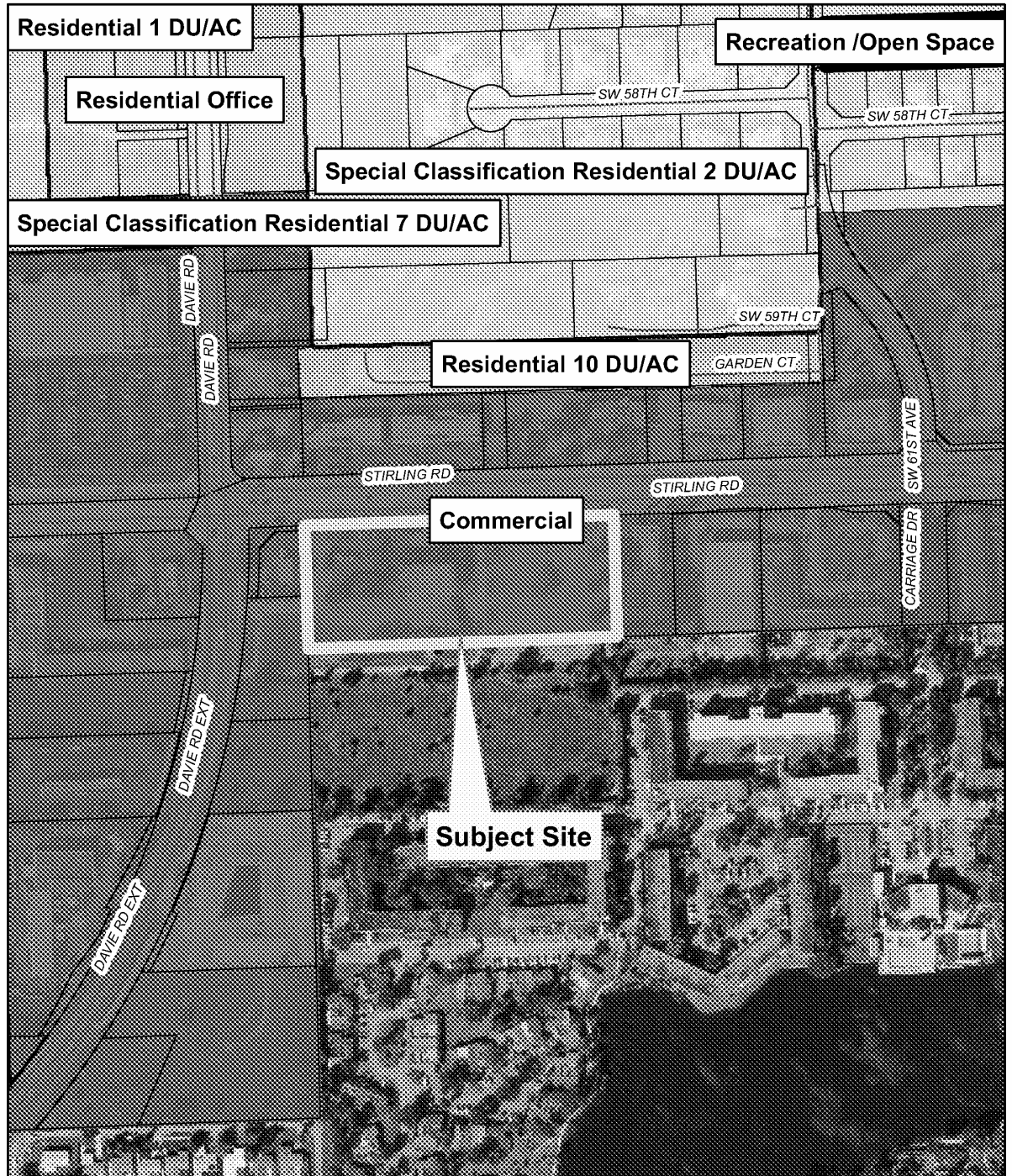
- 1. Future Land Use Plan Map**
 - 2. Zoning and Aerial Map**
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Prepared by: _____

Reviewed by: _____

File Location: P&Z\Development Applications\Applications\P_Plat\P_08\P 8-1-08 Bank of America

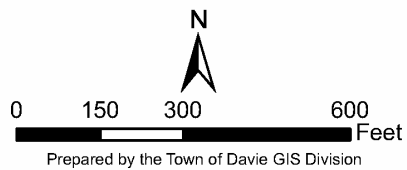
Exhibit 1 (Future Land Use Plan Map)



Special Permit
SE 2-2-09
Future Land Use Map

Prepared by: ID
Date Prepared: 3/3/09

Exhibit 2 (Zoning and Aerial Map)



Special Permit
SE 2-2-09
Zoning and Aerial Map

Prepared by: ID
Date Prepared: 3/3/09